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**Response**

Applicant(s): Sandhu et al.

Serial No.: 10/784,563

Confirmation No.: 8650

Filed: February 23, 2004

For: METHODS FOR USE IN FORMING A CAPACITOR AND STRUCTURES RESULTING FROM SAME

**Remarks**

The Office Action mailed September 21, 2004 has been received and reviewed. No claims have been amended or cancelled. Therefore, the pending claims are claims 39-60. Reconsideration and withdrawal of the rejections are respectfully requested in view of the remarks provided herein.

**Double Patenting Rejection**

Claims 39-60 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-31 of U.S. Patent No. 6,200,874. Submitted herewith is a Terminal Disclaimer which, Applicants submit, is in compliance with 37 CFR 1.321(c) and thereby obviates the Examiner's double patenting rejection of pending claims 39-60.



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For: METHODS FOR USE IN FORMING A CAPACITOR AND STRUCTURES RESULTING FROM SAME**Summary**

It is respectfully submitted that the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for  
Sandhu et al.

By

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21 Dec 2004

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**CERTIFICATE UNDER 37 CFR §1.8:**

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21<sup>st</sup> day of December, 2004, at 4:15pm (Central Time).

By: Name: SARA E. OLSON